

**Application No. : 10/749,325**  
**Filed : December 29, 2003**

**REMARKS**

Claims 1, 3 – 9, 13, 15 – 21, 29, and 33 – 56 were pending in the application. By this paper, Applicant has amended Claims 1, 13, 33, 41 and 43, canceled Claims 49 – 56 without prejudice, and added new Claims 57 – 59. Accordingly, Claims 1, 3 – 9, 13, 15 – 21, 29, 33 – 48 and 57 – 59 are presented for examination herein.

*Allowed and Allowable Subject Matter*

Per the Office Action, Claims 1, 3 – 9, 13, 15 – 21, 29 and 33 – 48 stand allowed by the Examiner.

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*Amended Claims*

By this paper, Applicant has amended Claims 1, 13, 33, 41 and 43 to correct minor grammatical issues present within these claims. Applicant submits that no new matter has been entered by virtue of these amendments.

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*Objected-to Claims*

Claims 54 – 56 were indicated by the Examiner to be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims. Applicant respectfully directs the Examiner's attention to newly added Claims 57 – 59 which correspond to objected-to Claims 54 – 56, respectively. Accordingly, Applicant submits that newly added Claims 57 – 59 overcome the Examiner's objections, and are in condition for allowance.

*§103 Rejections*

25 1. Per page 2 of the Office Action, Claims 49, 50, 52 and 53 each stand rejected under 35 U.S.C. § 103 as being unpatentable over Stone et al. (U.S. Patent Pub. No. 2002/0152346, hereinafter "Stone") in view of Crutchfield et al. (U.S. Patent Pub. No. 2002/0196884, hereinafter "Crutchfield"). By this paper, Applicant has cancelled Claims 49, 50, 52 and 53 without prejudice, thereby rendering the Examiner's rejection moot.

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2. Per page 4 of the Office Action, Claim 51 stands rejected under 35 U.S.C. § 103 as being unpatentable over Stone in view of Crutchfield and further in view of well known art as evidenced by D'Ignazio et al. (U.S. Patent No. 5,208,808, hereinafter "D'Ignazio"). By this paper, Applicant has cancelled Claim 51 without prejudice, thereby rendering the Examiner's rejection moot.

### *Other Remarks*

Applicant hereby reserves the right to prosecute claims of different scope in another continuation or divisional application.

10       Applicant notes that any claim cancellations or additions made herein are made solely for  
the purposes of more clearly and particularly describing and claiming the invention, and not for  
purposes of overcoming art or for patentability. The Examiner should infer no (i) adoption of a  
position with respect to patentability, (ii) change in the Applicant's position with respect to any  
claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by  
15      the Examiner, based on such cancellations or additions.

Furthermore, any remarks made with respect to a given claim or claims are limited solely to such claim or claims.

If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned at (858) 675-1670.

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Respectfully submitted,

GAZDZINSKI & ASSOCIATES, PC

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